

REMARKS

Reconsideration and allowance of this application are respectfully requested in view of the above amendments and the following remarks.

The specification has been amended editorially without affecting the scope of the disclosure.

The claims were rejected under 35 U.S.C. §102(b) and/or 35 U.S.C. §103(a) on Martineau, United States Patent No. 5,915,226 and/or Ginter, United States Patent No. 5,892,900, either alone or in combination with a reference described on pages 5 and 6 of the Office Action as "Nokia Mobile Phones Limited (Nokia), International Patent Publication No WO 00/18205", and listed on the Notice of References Cited (Form PTO-892) as "WO 00/1825 PCT International Application Publication, Nokia Phones Ltd., 30 March 2000. " Attached is a copy of the first page of International Publication WO 00/18205. As can be seen, it relates to an assembly system for fitting supports with componentry and is owned by Siemens Aktiengesellschaft. Also attached is a copy of the first page of International Publication No. WO 00/01825. As can be seen, it is titled Helicobacter Antigen, etc. and is owned by Institut Pasteur. Further attached is a copy of the cover page of International Publication No. WO 00/18025 which is titled Portable Communication Terminal and is owned by Nokia Mobile Phones, Ltd. It is understood that International Publication No. WO 00/18025 is the reference intended to be cited and applied in this Office Action, rather than the numbers set forth in the Office Action and on the list of references cited. Confirmation of this would be appreciated.

In any event, the rejections are traversed, and reconsideration and withdrawal of them are requested. Applicants' invention, as described by the claims, is neither shown nor made obvious by the references, whether the references be considered one at a time or in combination.

As set forth in amended claim 1, Applicants' invention is a method of distributing electronic content between first and second terminal devices which includes storing tailoring information in a memory module separate from and releasable attachable to at least the second terminal device. The tailoring information defines what electronic content is able to be transferred, a period of time during which the defined electronic content is able to be transferred, and whether the defined electronic content can be transferred by the second terminal device to a further terminal device. Original claim 1 was rejected on Martineau or Ginter. Neither Martineau nor Ginter shows tailoring information of the type set forth in amended claim 1. Further, neither reference suggests that such tailoring information be utilized. Original claim 7, which has been cancelled, recited that the tailoring information includes time dependent subscription period information defining a time period within which the electronic content may be transferred to the second terminal device. Original claim 7 was rejected under 35 U.S.C. §102(b) as anticipated by Ginter, with the Office Action bringing attention to Ginter starting at column 8, under the heading "Electronic Content". This portion of Ginter has been reviewed, and no teaching or suggestion of tailoring information defining a period of time during which the defined electronic content is able to be transferred was located. In the event the Examiner persist in this

rejection, he is requested to specifically point out the column and line number disclosing such tailoring information.

Amended claim 1 further distinguishes from Martineau because Martineau only teaches a prepaid card storing information to verify the authenticity of the card and the number of units of communication for which the prepaid card still stores payment. This is not tailoring information defining what electronic content is able to be transferred, a period of time during which the defined electronic content is able to be transferred, and whether the defined electronic content can be transferred by the second terminal device to a further terminal device, as set forth in claim 1.

It is accordingly urged that amended claim 1 distinguishes patentably from the references and is allowable. Claims 3-14, being dependent from claim 1 are likewise allowable.

Claim 3 adds to claim 1 the additional step of transmitting the tailoring information from the second terminal device to a third terminal device over a radio frequency link. Claim 5 depends from claim 3 through claim 4 and adds the further limitation that the radio frequency link is a short range communication radio frequency link, describes the manner in which communication with the third terminal device is established, and includes transferring the electronic content from the first terminal device to the third terminal device according to the tailoring information. The Office Action relies on Ginter in rejecting these claims, and, with reference to claim 3, brings attention to Ginter at Figure 77 and 78 and associated description. Figure 77 is described in Ginter commencing at column

280, line 59. Figure 77 shows the transmission of content from a content creator 102 to a right/distributor 106. Rules and controls are passed from the right/distributor 106 to a plurality of users 112 who are subject to the jurisdiction of a client administrator 700. In the system as depicted in Figure 77 of Ginter, the method does not comprise the additional step of transmitting the tailoring information from the second terminal device to a third device and transferring the electronic content from the first terminal device to the second terminal device over a radio frequency link. Further, Figure 77 of Ginter does not show or suggest the method of establishing communication with the third terminal device set forth in claim 5 and further does not suggest then transferring the electronic content from the first terminal device to the third terminal device. Accordingly, Ginter, whether alone or in combination with the Nokia publication, does not provide a proper basis for the rejection of claims 3-5, and claim 6 also.

Claims 15-19 likewise distinguish over Martineau, Ginter, and the Nokia publication, whether these be considered one at a time or in combination, as a result of the particular tailoring information set forth in these claims. Accordingly, these claims are also allowable.

To assure Applicants the degree of protection to which their invention entitles them, claims 20-31 have been added. These claims likewise distinguish over the references and are allowable. They include specific tailoring information not shown or suggested by the references.

Claim 20 includes attaching the memory module to the first terminal device and reading the tailoring information into the first terminal device,

transferring electronic content from an access point to the first terminal device according to the tailoring information, attaching the memory module to the second terminal device and reading the tailoring information from the memory module into the second terminal device, and transferring electronic content from the first terminal device to the second terminal device according to the tailoring information. Such a method is neither shown nor suggested by the references.

Independent claim 21 recites attaching the memory module to the first terminal device and reading the tailoring information from the memory module into the first terminal device, transferring electronic content from an access point to the first terminal device according to the tailoring information, and then transferring the electronic content from the first terminal device to the second terminal device according to the tailoring information. Such a method might be utilized where the second terminal device already has the tailoring information or where the tailoring information authorizes the first terminal device to transmit the electronic content to the second terminal device.

Independent claim 22 includes attaching the memory module to the second terminal device and reading the tailoring information from the memory module into the second terminal device, transferring electronic content from an access point to the first terminal device according to the tailoring information, and transferring the electronic content from the first terminal device to the second terminal according to the tailoring information. Such a method might be utilized where the first terminal device is known to be authorized to receive and to

transmit the electronic content, or where the tailoring information is embedded in the electronic content.

Independent claim 23 includes attaching a first memory module to the first terminal device and reading the tailoring information from the first memory module into the first terminal device, attaching a second memory module to the second terminal device and reading the tailoring information from the second memory module into the second terminal device, comparing the tailoring information in the first terminal device with the tailoring information in the second terminal device, and if the tailoring information in the first terminal device compares favorably with the tailoring information in the second terminal device, transferring the defined electronic content from the first terminal device to the second terminal device according to the tailoring information. This method utilizes separate memory modules which must be compatible to permit transfer of the electronic content from the first terminal device to the second terminal device.

Claims 20-23 distinguish from the references in the manners set forth above with respect to each claim. It is accordingly submitted that these claims are allowable.

Independent claim 24 sets forth the specific tailoring information which is not shown or suggested by the references and recites attaching the memory module to the second terminal device and reading the tailoring information from the memory module into the second terminal device, establishing a wireless short range connection between the first and the second terminal device, and transferring electronic content from the first terminal device to the second

terminal device according to the tailoring information. Claim 24 distinguishes from the references in the same manner as does claim 1. Accordingly, claim 24 and its dependent claims 25-31 are allowable. Claim 31 distinguishes from the references for the further reason that the references do not show or suggest transferring the electronic content from the second terminal device to a further terminal device.

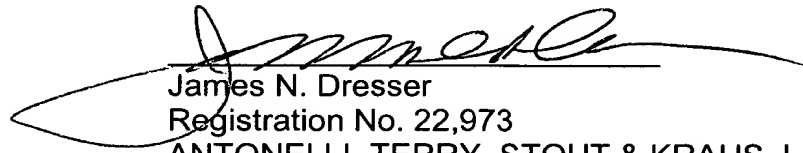
The Office Action includes an Examiner's note stating that the particular references contained in the prior art of record have been pointed out "for the convenience of the Applicant" and goes on to request that the Applicant, in preparing a response to the Office Action, consider fully the entire references. The undersigned Attorney has endeavored to this. Nevertheless, it is requested that the Examiner likewise consider fully the entire references and bring attention to any relevant passages that may not have been discussed so as to assure a thorough and proper examination leading to a valid patent.

In view of the above amendments and remarks, it is respectfully urged that all of the grounds for objection and rejection have been overcome, that the claims are allowable, and that the application is in condition for allowance. Such action would be appreciated.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (Case No. 0171.39361X00) and please credit any excess fees to such deposit account.

Respectfully submitted,



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JND/kmh

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

Please amend the specification as follows:

Please replace the paragraph beginning at page 1, line 10, with the following rewritten paragraph:

Traditionally content, e.g. papers and magazines, is distributed in physical format by multimedia content distributors such as content creators, content publishers and retail businesses. An advanced way to transfer movies, music, text, and similar files is through records, tapes, and compact discs, etc. Such items may be bought or rented in shops. These items may easily be traded, loaned, or otherwise “swapped” between friends. Further, devices have been developed for delivering of streaming content such as video, audio and MP3, and the like, and so such file swapping is becoming more attractive. The terminals are coming smaller and smaller, and they can easily be carried everywhere, and so the transferability of digital content is easily done. For example, there are numerous different small, portable models of MP3 players on the market.

Please replace the paragraph beginning at page 2, line 15, with the following rewritten paragraph:

Although the Internet is making a breakthrough in the mobile communication world thanks to the introduction of browsers on mobile terminals, it is expected that some alternative models for accessing the content/information on the Internet will be needed. Whereas the browser model is heavily based on

user interaction, other models where the user can be more passive make particular sense in mobile environments because of potential limitations in the capabilities of some terminals, because of the lack of time for browsing, and because of the importance of accessing information quickly rather than having freedom to surf among the various sources of information available. In this kind of context, a terminal having a passive mechanism will help the user in content downloading, while preferably retaining aspects of a browser based content access model to keep flexibility in what content can be accessed.

Please replace the paragraph beginning at page 4, line 18, with the following rewritten paragraph:

Further the present invention pertains to a method in which a memory module is releasably attachable to said first terminal device. The method includes attaching said memory module to said first terminal device, and while attached reading tailoring information from said memory module to said first terminal device, transferring electronic content from an access point [to] into said first terminal device according to said tailoring information read from said memory module when attached to said first terminal device, and having received and stored the electronic content at said first terminal device, allowing the electronic content to be transferred to said second terminal device in accordance with the method above.

Please replace the paragraph beginning at page 10, line 19, with the following rewritten paragraph:

IC cards or electronic chip cards are usually the size of a conventional credit card and have six or eight electrical contacts on one face and include an integrated circuit with a memory, and may include microprocessors. Data and programs for manipulating the data and communicating outside the card are included in the integrated circuit. In the past the cards, such as prepaid cards have been widely used in the purchase of telephone service, particularly in France and Germany, where public pay telephones accept the prepaid cards instead of coins. Typically in those countries the prepaid cards are purchased at a post office for a specific amount. The cards are inserted in a public pay telephone, connection is made through the contacts, and units of value are removed from the card as the telephone call progresses. The mechanical and electrical specifications of the cards are standardized, and one set of standards is published by the ANSI (American National Standards Institute), 11 West 42 Street, New York, N.Y. 10036 under the title "Identification cards-Integrated circuit(s) cards with contacts" ISO 7816-1 and ISO 7816-2. Smart cards have been manufactured and are commercially available from several companies including e.g. GEMPLUS Card International, Avenue du Pic de Bertagne, Parc d'activites de la Plaine de Jouques, 13420 Gemenos, France.

Please replace the paragraph beginning at page 12, line 13, with the following rewritten paragraph:

Figure 3 illustrates one embodiment of a method for two Bluetooth devices 20, 30 to operate when establishing a connection. The first Bluetooth device 20 takes the initiative and regularly performs inquiries to discover surrounding Bluetooth terminal devices such as device 30. During the first phase of the process, the first Bluetooth device 20 and the other Bluetooth device 30 form a first Bluetooth connection, thus forming a piconet. The following steps are involved in forming a piconet: As is known from the Bluetooth specification, first inquiries 150 are executed for establishing a connection. After successful completion of inquiries, paging 152 is activated. After paging a Service Discovery Protocol (SDP) channel is opened 154, and the SDP session starts 156. All necessary information for establishing a Bluetooth connection is gathered, including but not limited to e.g. the other Bluetooth device's baseband address, and clock offset information from the inquiry mode, the Bluetooth class of the other Bluetooth device and supported services information of the devices from the SDP mode. After the information is gathered, a non-SDP nature channel 158 can be opened for Bluetooth communication between the devices 20, 30. Available channels in the Bluetooth protocol architecture are illustrated and can be found in more detail in the Bluetooth specifications. When the communication between the Bluetooth devices 20, 30, is to be concluded, the first Bluetooth device 20, or the second Bluetooth device 30, sends a Link Manager Protocol detach message 160 that terminates the session between the devices 20, 30.

Please replace the paragraph beginning at page 15, line 1, with the following rewritten paragraph:

The second condition for authorization for the transfer to actually take place is that there must be a match between the content for which the IC card 40 inserted in the receiving terminal 30 gives reception authorization and the content that is to be sent. Reception authorization can be linked to the type of content and/or the distributor of the content and/or the author of the content, as examples. Before the transfer operation can actually take place, the sender terminal must read the reception authorization stored on the IC card 40 that is inserted in the sender terminal, and check whether there is a match between the content to be sent and the authorization carried by the IC card 50 that is inserted in the receiving terminal. Thus, the sender terminal must be authorized to send the file, and the recipient terminal must be authorized to receive the file, although either one of these could be omitted.

Please replace the paragraph beginning at page 16, line 15, with the following rewritten paragraph:

When the multimedia file content format is MPEG encoded video, the following procedure may be utilized. As depicted in Fig. 6, in the HTRM 220, MPEG decoding unit 222 applies an output to digital to analog audio decoding unit 224 and an output to LCD controller [232, DRAM] 232. DRAM 210 and LCD

controller 232 may be configured as a semi HTRM [220] 230, mechanically attached and chemically glued to HTRM 220.

IN THE CLAIMS:

Please amend the claims as follows:

1. (Amended) A method of distributing electronic content between first and second terminal devices, said method comprising the steps of:

(a) storing ~~the~~ tailoring information in a memory module separate from and releasably attachable to at least the second terminal device, the tailoring information defining what electronic content is able to be transferred, a period of time during which the defined electronic content is able to be transferred, and whether the defined electronic content can be transferred by the second terminal device to a further terminal device;

(b) attaching the memory module to the second terminal device;

(c) while the memory module is attached to the second terminal device, reading the tailoring information from the memory module into the second terminal device;

(d) comparing the tailoring information in the second terminal device with tailoring information included with the content; and

(d) (e) if the tailoring information in the second terminal device compares favorably with the tailoring information included with the content, transferring the defined electronic content from the first terminal device to the second terminal

device according to the tailoring information ~~read from the memory module into~~
the second terminal device.

Please cancel claim 2 without prejudice or disclaimer.

3. (Amended) A method according to claim 1, wherein:

if the tailoring information in the second terminal device compares
favorably with the tailoring information included with the content, then before step
(d) (e) the method further comprises the additional step of transmitting the
tailoring information from the second terminal device to a third device over a
radio frequency link; and

step (e) comprises transferring the electronic content to the second
terminal device over the radio frequency link.

5. (Amended) A method according to claim 4, wherein the method further
comprises:

causing the first terminal device to enter the coverage area of the second
terminal device;

sending an inquiry from the second terminal device to the third terminal
device;

sending a response to the inquiry from the third terminal device to the
second terminal device; and

~~transmitting the tailoring information to the third terminal device, and~~

transferring the electronic content from the first terminal device to the third terminal device according to the tailoring information ~~received from the second terminal device~~.

Please cancel claim 7 without prejudice or disclaimer.

8. (Amended) A method as claimed in claim ~~7~~1, wherein the electronic content includes copies of a periodically published item.

15. (Amended) A system for distributing electronic content, comprising:
a wireless connection for transmission of electronic content;
an element for transferring selected electronic content over the wireless connection according to predetermined tailoring information defining electronic content eligible to be transferred from the element, a period of time during which the defined electronic content is able to be transferred, and whether the defined electronic content can be transferred by a first terminal device to a further terminal device;

a first terminal device for receiving electronic content over the wireless connection;

a memory module for storing the tailoring information, the memory module being separate from and releasably attachable to the first terminal device;

attaching means for attaching the memory module to the first terminal device;

the first terminal device being adapted to read the tailoring information from the memory module and to transmit the tailoring information to the element over the wireless connection, and

the element being adapted to transfer electronic content to the first terminal device over the wireless connection according to the tailoring information.

16. (Amended) A memory module for use with a terminal device, said memory module comprising:

a storage medium for storing tailoring information relating to specific electronic content that the memory module authorizes to be transferrable to the terminal device, a period of time during which the defined electronic content is able to be transferred, and whether the defined electronic content can be transferred by the terminal device to a further terminal device; and

an interface for mechanically and electrically coupling the memory module to the terminal device, the memory module being releasably attachable by a user to the terminal device to bring the memory module into mechanical and electrical contact with the terminal device.

19. (Amended) A terminal device comprising:

a storage device for storing tailoring information ~~relating to specific electronic content~~, the tailoring information defining specific electronic content that the storage device authorizes as being transferable to the terminal device, a

period of time during which the defined electronic content is able to be transferred, and whether the defined electronic content can be transferred by the terminal device to a further terminal device;

an interface for mechanically and electrically coupling the storage device to the terminal device, the interface allowing releasable attachment of the storage device by a user to the terminal device to bring the storage device into mechanical and electrical contact with the terminal device;

means for reading the tailoring information from the storage device into the terminal device when the storage device is in mechanical and electrical contact with the terminal device, ~~the tailoring information defining specific electronic content that the storage device authorizes as being transferrable to the terminal device; and~~

a transceiver for transmitting the tailoring information by wireless communication in order to authorize transfer of the specific electronic content to the terminal device.